

GOVERNMENT OF TELANGANA

ABSTRACT

Labour Employment Training & Factories Department – Labour Court-II – Representation of Sri G.Bhasker Rao, Amin (Retd), O/o. Labour Court-II, Hyderabad for re-fixation of pay – Orders – Issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (LABOUR-II) DEPARTMENT

GO.Rt.No.218

Dated:17.04.2023

Read the following:

1. GO.Ms.No.50, Law Department, Dated:23.04.2009.
2. Orders of Hon'ble APAT, Hyderabad, dated:02.09.2013 in O.A. No.6591/2011.
3. Orders of Hon'ble High Court, dated:08.12.2022 in W.P. No. 38957/2013.
4. Representation of Sri G.Bhasker Rao, Amin (Retd), O/o. Labour Court-II, Hyd., dt: 09.01.2023.
5. Presiding Officer, Labour Court-II, Hyderabad, Letter No.60/2023, Dated:27.03.2023.
6. Deputy Registrar, High Court for the State of Telangana, Contempt Case No: 705 of 2023, Dated:31.03.2023.

ORDER:-

On the request of the individual, the Presiding Officer, Labour Court-II, Hyderabad, vide Order No.A/175/94, dt: 13.05.1994 has appointed Sri G.Bhasker Rao, Bailiff, O/o. District Judge, Ranga Reddy by transfer as Amin in O/o. Labour Court-II, Hyderabad, under A.P. Ministerial Services in the time scale of Rs.1665-3200 and his seniority was fixed at last place.

2. In the GO 1st read above orders were issued for implementation of recommendations of Hon'ble Justice Jagannath Shetty Commission Report in respect of Staff of Subordinate Courts in A.P. wherein Bailiffs/Amins in the Scale of pay of "Rs.3290-6550" as against "Rs.3130-6150" along with certain conditions as mentioned therein.

3. Sri G.Bhasker Rao, Amin O/o. Labour Court-II, Hyderabad, has requested the Presiding Officer, Labour Court-II, Hyderabad for re-fixation of pay in the post of Amin as per G.O. 1st read above.

4. Based on the recommendations of the Presiding Officer, Labour Court-II, Hyderabad, Government, vide Lr.No.5351/Lab-I/A2/2009-5, LET&F (Lab-I) Dept., dt: 15.03.2010 have informed that Sri G.Bhasker Rao, Amin has drawn the State Pay Scales, 1999 and 2005, as such he is not entitled for the Judicial Scales of Pay recommended by Jagannath Shetty Commission Report and G.O.Ms.No.50, Law Dept., dt: 23.04.2009.

5. Sri G.Bhaskar Rao, Amin has filed O.A.No.6591/2011 before the APAT, Hyderabad for re-fixation of his pay in the post of Amin as per G.O.Ms.No.50, Law Department, dt: 23.04.2009. The Hon'ble APAT, in its orders dt: 02.09.2013 has ordered as following:

"The respondents are directed to extend the benefit of re-fixation of pay to the applicant in terms of G.O.Ms.No.50, Law Dept., dt: 23.04.2009 of the 1st respondent. Appropriate orders in this regard shall be passed within a period of two months from the date of receipt of a copy of this order."

Contd...

6. The Government filed W.P.No.38957/2013 before the Hon'ble High Court, Telangana with a prayer to suspend the operation of the above orders dt: 02.09.2013 in O.A.No.6591/2011 of the APAT. The Hon'ble High Court, Telangana in its orders dt: 08.12.2022 in W.P.No.38957/2013 has made the following order:

“This Court, having considered the rival submissions made by the parties, is of the considered view that the Tribunal was justified in allowing the O.A. in favour of the 1st respondent by holding that the nature of duties performed by the 1st respondent is equivalent to that of judicial employee, and a judicial employee is covered by G.O.Ms.No.50, dt: 23.04.2009. Therefore, the Tribunal has rightly passed orders in favour of the 1st respondent. Therefore, this Court is not inclined to interfere with the orders passed by the Tribunal in O.A.No.6591 of 2011, dt: 02.09.2013. Accordingly, the Writ Petition is dismissed. No costs.”

7. Government after careful examination of matter hereby decided to implement the orders dt: 02.09.2013 of Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.6591/2011 and orders dt: 08.12.2022 of Hon'ble High Court, Telangana in W.P.No.38957/2013 for re-fixation of pay of Sri G.Bhasker Rao, Amin (Retd) O/o. Labour Court-III, Hyd., as per G.O.Ms.No.50, Law Department, dt: 23.04.2009 w.e.f. 01.04.2003.

8. The Presiding Officer, Labour Court-II, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

I.RANI KUMUDINI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Presiding Officer, Labour Court-II, Hyderabad.

The individual through Labour Court-II, Hyderabad.

Copy to:

The Government Pleader for Labour & Employment.

The Law (B) Department.

The Finance (EBS.X) Dept.

The P.S. to Minister (Labour & Employment)

SF/SC

//FORWARDED:: BY ORDER//

SECTION OFFICER